

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian S. Kelleher et al.
Title: Electromyography System

Docket No.: 80100.028US2
Filed: April 21, 2004
Examiner: Unknown



Serial No.: 10/830,189
Due Date: N/A
Group Art Unit: 3736

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

We are transmitting herewith the following attached items (as indicated with an "X"):

- ☒ A return postcard.
☒ An Information Disclosure Statement (2 pgs.), Form 1449 (1 pg.). Documents NOT enclosed.

If not provided for in a separate paper filed herewith, Please consider this a PETITION FOR EXTENSION OF TIME for sufficient number of months to enter these papers and please charge any additional fees or credit overpayment to Deposit Account No. 50-2040.

Customer No. 30328

By: 

Atty: Jonathan Spangler
Reg. No. 48,182
(858-527-1936)

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of July, 2004.

Emily Bates
Name

Emily Bates
Signature

(GENERAL)

JUL 2 6 2004
PATENT & TRADEMARK
SN 10/830,189**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Serial No.: 10/830,189
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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 50-2040 in order to have this Information Disclosure Statement considered.

INFORMATION DISCLOSURE STATEMENT

Serial No : 10/830,189
Filing Date: April 21, 2004
Title: Electromyography System

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Dkt: 80100.028US2

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

BRIAN S. KELLEHER ET AL.

By their Representatives,

Customer No. 30328

Date

7-22-04

By

Jonathan Spangler
Reg. No. 40,182
858-527-1936

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 22 day of July, 2004.

Name

Emily Bates

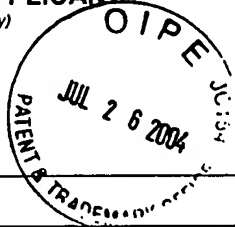
Signature

Emily Bates

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Complete if Known

Application Number	10/830,189
Filing Date	April 21, 2004
First Named Inventor	Kelleher, Brian
Group Art Unit	3736
Examiner Name	Unknown

Sheet 1 of 1

Attorney Docket No: 80100.028US2

US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	Filing Date If Appropriate
	US-4,962,766	10/16/1990	Herzon, G. D.	128	741	07/19/1989
	US-5,196,015	03/23/1993	Neubardt, Seth L.	606	61	04/30/1992
	US-5,284,153	02/08/1994	Raymond, S. A., et al.	128	741	04/14/1992
	US-5,474,558	12/12/1995	Neubardt, S. L.	606	79	07/18/1994
	US-5,775,331	07/07/1998	Raymond, S. A., et al.	128	741	06/07/1995
	US-5,779,642	04/14/1998	Nightengale, Christopher	600	461	02/18/1997
	US-6,266,558	07/24/2001	Gozani, Shai N., et al.	600	547	12/01/1998
	US-4,962,766	10/16/1990	Herzon, G. D.	128	741	07/19/1989
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	Class	Subclass	T ²
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OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
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EXAMINER**DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional) ² Applicant is to place a check mark here if English language Translation is attached